



2624

PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Okie TANI

Application No.: 09/720,718

Filed: December 28, 2000

Group Art Unit: 2624

**RECEIVED**

AUG 08 2003

Docket No.: 108249

Technology Center 2600

For: METHOD OF EXPRESSION RECORDING, REPRODUCTION AND  
COMMUNICATIONS OF COMPUTER OBJECT USING COLOR, APPARATUS  
FOR RECORDING AND/OR REPRODUCTION, RECORDING MEDIUM, AND  
METHOD OF PREPARATION OF CODE

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AUG 18 2003

PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102(d)

DIRECTOR OFFICE  
TECHNOLOGY CENTER 2600

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP §708.02 VIII, Applicant hereby petitions for an accelerated examination of the above-identified patent application, which has not been examined.

(A) Our Check No. 143801 in the amount of \$130.00 as the petition fee set forth in 37 CFR §1.17(h) is attached to this petition.

(B) All claims (claims 1-50) are directed to a single invention relating to: a method of expression, recording, reproduction, and communication of computer object using color; an apparatus for recording and/or reproduction; a recording medium; and a method of preparation of code.

(C) A pre-examination international search was made for PCT/JP00/003315. The PCT international classifications searched were G06K 1/12, 7/12, 19/06, G06C5/00.

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(D) Copies of each of the references deemed most closely related to the subject matter encompassed by the claims were previously submitted in an Information Disclosure Statement on December 28, 2000. A copy of Form PTO-1449 previously submitted on December 28, 2000; a copy of the August 15, 2000 International Search Report; and a separate English-language translation of claim 2 excerpted from JP A 57-161068 are attached.

(E) A detailed discussion patentably distinguishing the claims of the application from the references of the International Search Report follows.

- (i) JP A 8-96097 does not teach, disclose or suggest a computer object being expressed, recorded, reproduced, and/or transmitted by color or a color numerical value, as variously recited in claims 1-50 of the application. Instead, JP A 8-96097 relates to a color-separated detection of a color bar code. For JP A 8-96097, a bar code is recorded with colors. However, the decoding of the color bar code by JP A 8-96097 is still based on bar coding. JP A 8-96097 does not express a computer object by color or a color numerical value as claimed.
- (ii) Likewise, JP A 3-154181, JP A 57-161068 and JP A 9-152851 do not make up for the deficiencies of JP A 8-96097. Instead, JP A 3-154181 relates to a reader for optical read card having a deflected optical path; JP A 57-161068 relates to an optical reading device equipped with a plurality of optical filter plates; and JP A 9-152851 relates to an information transmission device in which bar-code information is displayed and read by a bar-code reader. The references, individually or in combination, do not teach, disclose or suggest the claimed features.
- (iii) The claimed invention is patentably distinguished from the references. The claimed invention uses color as a medium for expressing data or

information taking note of the characteristics of color. Rather, JP A 8-96097 and JP A 9-152851 generally deal with the bar code as the fundamental medium for expressing data or information. Likewise, the optical reading devices of JP A 3-154181 and JP A 57-161068 are unrelated to the claimed color expression of computer objects.

For at least these reasons, Applicant respectfully requests an accelerated examination of the application.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Richard J. Kim  
Registration No. 48,360

JAO:RJK/vvr

Attachments:

English-language translation of claim 2 of  
JP A 57-161068  
Copy of December 28, 2000 PTO Form 1449  
Copy of August 15, 2000 International  
Search Report (English and Japanese)

Date: August 6, 2003

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**